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(To be used for all correspondence after initial filing)

Application Number	09/912,266
Filing Date	July 24, 2001
First Named Inventor	James E. Fleming
Art Unit	1641
Examiner Name	Gailene Gabel
Attorney Docket No.	390054.402

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ENCLOSURES (check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	William T. Christiansen, Ph.D.	Customer Number 00500
Signature		
Date	December 3, 2003	

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**RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE - EXAMINING GROUP 1640**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James E. Fleming et al.
Application No. : 09/912,266
Filed : July 24, 2001
For : METHOD AND APPARATUS FOR VIABLE AND NONVIABLE
PROKARYOTIC AND EUKARYOTIC CELL QUANTITATION

Examiner : Gailene Gabel
Art Unit : 1641
Docket No. : 390054.402
Date : December 3, 2003

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AMENDMENT UNDER 37 C.F.R. § 1.116

Commissioner for Patents:

In response to the Office Action dated October 3, 2003, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.